



October 16, 2007

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3609

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	:	10/776,498	:	Confirmation No. 3238
Applicant	:	Gabriel F. Osten		
Filed	:	February 10, 2004		
TC/A.U.	:	3609		
Examiner	:	Bukowczyk, Jeremy	:	October 16, 2007
Our Docket No.	:	20030332.ORI		
Customer No.	:	23595		

Box AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

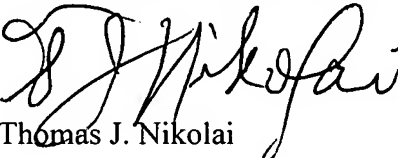
Transmitted herewith is a Request for Reconsideration in response to the Final Office Action dated September 10, 2007, in the above-identified patent application.

The Commissioner is hereby authorized to charge any fees listed in 37 CFR 1.16 and 1.17 which may be required by this paper or credit any overpayment to Deposit Account No. 08-1265.

No additional fee is required.

Yours very truly,

NIKOLAI & MERSEREAU, P.A.


Thomas J. Nikolai

TJN/ljr
Enclosures



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REQUEST FOR RECONSIDERATION

Sir:

Applicant's attorney respectfully requests the Examiner to reconsider the rejection of claims 4 and 6-12 as set forth in the Final Rejection mailed September 10, 2007, in that the analysis of the prior art references relied upon contain serious misstatements of fact.

Specifically, on page 2, paragraph 2, of the Official Action, in rejecting claim 4 it appears that the Examiner has ignored the fact that claim 4, as amended, recites an **angular rate** sensing means that is affixed to the base plate of a Delta robot for sensing inclination or rotation of the base plate. The Sprenger publication does not teach or suggest the use of an angular rate sensor affixed to the base plate of a Delta robot as the Examiner has asserted. The Sprenger reference senses angular displacement of a XY positioner about its Z axis and not the **rate of change** of such angular displacement. Thus, there is no support in Sprenger's paper for the Examiner's contention that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify a robot for picking up and placing products to include an **angular rate** sensing means as a part of a safety device for the robot. Moreover, since the Sprenger reference does not disclose the use of servo motors controlling the XY positioner. There